



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

*Dennis J. Duffin
Director*

May 23, 1985

AO-1985-06

Mrs. Lynda M. Connolly, Treasurer
The Mike Connolly Committee
P.O. Box 1652
Boston, MA 02105

Dear Mrs. Connolly:

This is in response to your recent request for an advisory opinion relative to the application of M.G.L. c. 55, and rules promulgated thereunder, to two particular activities. Your questions, and the appropriate answers, are set forth below.

1. Given the restriction on the fundraising activities of certain state employees in M.G.L. c. 55, §13, is it permissible for such an employee to expend the funds of a political committee?

While Section 13 prohibits any person employed for compensation, other than an elected official from directly or indirectly soliciting, or receiving anything of value for any political purpose whatsoever, it does not prohibit such public employees from expending funds on behalf of a political committee. Such expenditures, however, must be made in accordance with all provisions of G.L. c. 55. Any expenditure for an amount exceeding fifty dollars must be by check. 970 C.M.R. 2.00 regulates expenditures by all political committees. Anyone making an expenditure on behalf of a political committee must comply with these regulations. Notwithstanding the above, however, please be advised that this should not be construed to permit a public employee to be the treasurer of a political committee. While a public employee may make expenditures on behalf of a political committee, the provisions of Section 13 clearly prohibit a public employee from holding the office of Treasurer of a political committee.

2. Given the limitations on the expenditures of a statewide depository committee in M.G.L. c. 55 §6, may the Mike Connolly Committee write a check to the Democratic State Committee to pay the candidate's delegate fee?

Section 6 of Chapter 55 provides that political committees organized on behalf of candidates for Statewide office may not contribute

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to any other political committee or to the campaign fund of any other candidate. Contribution is defined, in relevant part, as a "transfer of money or anything of value between political committees." Therefore, any payment from the Mike Connolly Committee to the Democratic State Committee is not permitted under c. 55.

If you have any further questions please feel free to contact me.

Very truly yours,


Dennis J. Duffin
Director

DJD/rep